

MINUTES

CASE NUMBER: CR 04-00194HG
CASE NAME: UNITED STATES OF AMERICA v. DANE P.
KANESHINA
ATTY FOR PLA: Tracy A. Hino, AUSA
ATTYS FOR DEFT: Philip H. Lowenthal, Esq.
Benjamin Lowenthal, Esq.
U.S.P.O.: JoAnn S. Hamaji

JUDGE: Helen Gillmor

REPORTER: Debra Chun

DATE: June 30, 2008

TIME: 1:40 - 2:25

COURT ACTION: ORDER TO SHOW CAUSE WHY SUPERVISED
RELEASE SHOULD NOT BE REVOKED -

The defendant is present, in custody.

DEFENDANT'S ARGUMENT IN OPPOSITION TO REVOCATION OF
SUPERVISED RELEASE ON DUE PROCESS IS **DENIED**.

The defendant admitted to Violation Nos. 1 and 2.

The Court finds that this is a Grade C violation, Criminal History Category I.

Allocution by the defendant.

ADJUDGED: TIME SERVED.

SUPERVISED RELEASE: 35 MONTHS, upon the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).

3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
5. That the defendant shall register with the state sex offender registration agency in any state where the defendant resides, is employed, carries on a vocation, or is a student, as directed by the Probation Office.
6. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. The defendant shall also submit to periodic unannounced examinations of his computer and computer accessories as well as provide access to his internet service provider account records, as directed by the Probation Office. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
7. The defendant may change his residence only with the advance approval of the Probation Office.
8. The defendant shall participate in sex offender assessment and treatment and abide by the policies and procedures of the program, which may include polygraph, and other types of testing, as approved by the Probation Office.
9. The defendant shall not have any type of contact (including written materials, communication devices, audio and visual devices, visits, or through a third-party), with children under the age of 18 or victims(s), except in the presence of an adult who is aware of the nature of the defendant's offense and who has been approved by the Probation Office.
10. That the defendant shall not view, purchase, possess, or distribute any form of child pornography depicting sexually explicit conduct as defined in 18 U.S.C. § 2256(8), unless approved for treatment purposes, or is necessary to, and used for a collateral attack, or frequent any place where such material is available.
11. That the defendant shall not view, purchase, possess, or distribute any form

of pornography depicting sexually explicit conduct as defined in 18 U.S.C. § 2256(2), unless approved for treatment purposes, or is necessary to, and used for a collateral attack, or frequent any place where such material is the primary product for sale or entertainment is available.

12. That the defendant is prohibited from possessing or accessing any computer or computer network that can, or has access to the Internet, unless it is work-related and shall not frequent places where the Internet is available for public use without the prior approval of the Probation Office.
13. That the defendant is prohibited from possessing and accessing any computer hardware and software or any other electronic device, including WebTV, that facilitates access to electronic mail (e-mail), web browsers, and Internet services without the prior approval of the Probation Office.

Advised of rights to appeal the sentence.

The defendant is remanded to the custody of USMS.

Submitted by: Mary Rose Feria, Courtroom Manager